

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MAR 10 2010
DAVID J. MALANDI, CLERK
BY
DEPUTY

UNITED STATES OF AMERICA

§
§
§
§
§
§

v.

NO. 4: ~~09~~ 10CR47

CLOVIS PRINCE
Defendant

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT ONE

Violation: 18 U.S.C. §1621(1) (Perjury)

On or about December 14, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, having taken an oath before a competent tribunal, officer and person, in case number 09-43627, in which the law of the United States authorizes an oath to be administered that he will testify, declare, depose and certify truly, did willfully and contrary to such oath state a material matter which he did not believe to be true, namely, that he was not a beneficiary of the Clovis L. Prince, Katherine M. Robinson, and Tamika D. Prince Trust in violation of 18 U.S.C. §1621(1).

COUNT TWO

Violation: 18 U.S.C. §1621(1) (Perjury)

On or about December 14, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, having taken an oath before a competent tribunal, officer and person, in case number 09-43627, in which the law of the United States authorizes an oath to be administered that he will testify, declare, depose and certify truly, did willfully and contrary to such oath state a material matter which he did not believe to be true, namely, that he, either individually or acting for an entity under his control, failed to disclose real estate transfers on bankruptcy Schedules and Statements of Financial Affairs in case numbers 09-43627, 09-43628, and 09-43645 because he transferred, or caused the transfer, of said real property in the "normal" or "ordinary course of business" in violation of 18 U.S.C. §1621(1).

COUNT THREE

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title 28, Section 1746, United States Code, namely the Statement of Financial Affairs filed in case number 09-43627, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 10(a):

List all other property, other than property transferred in the ordinary course of business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case.

the defendant answered "None" in violation of 18 U.S.C. §1621(2).

COUNT FOUR

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title 28, Section 1746, United States Code, namely the Statement of Financial Affairs filed in case number 09-43627, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 10(b):

List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

the defendant answered "None" in violation of 18 U.S.C. §1621(2).

COUNT FIVE

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title

28, Section 1746, United States Code, namely the Statement of Financial Affairs filed in case number 09-43627, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 14:

List all property owned by another person that the debtor holds or controls.
the defendant answered "None" in violation of 18 U.S.C. §1621(2).

COUNT SIX

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title 28, Section 1746, United States Code, namely the Statement of Financial Affairs filed in case number 09-43645, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 10(a):

List all other property, other than property transferred in the ordinary course of business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case.
the defendant answered "C. Prince & Associates sold one property in the normal course of business" in violation of 18 U.S.C. §1621(2).

COUNT SEVEN

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title 28, Section 1746, United States Code, namely the Statement of Financial Affairs filed in case number 09-43628, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 10(a):

List all other property, other than property transferred in the ordinary course of business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case.

the defendant answered "Crown sold some properties in the normal course of business" in violation of 18 U.S.C. §1621(2).

COUNT EIGHT

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title 28, Section 1746, United States Code, namely the Statement of Financial Affairs filed in case number 09-43628, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 10(b):

List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

the defendant answered "None" in violation of 18 U.S.C. §1621(2).

COUNT NINE

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title 28, Section 1746, United States Code, namely the Schedule B - Personal Property filed in case number 09-43627, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 20 to list:

Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.

the defendant answered "None" in violation of 18 U.S.C. §1621(2).

COUNT TEN

Violation: 18 U.S.C. §1621(2) (Perjury)

On or about December 8, 2009, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, in a declaration, certificate, verification, and statement under penalty of perjury as permitted under Title 28, Section 1746, United States Code, namely the Schedule B - Personal Property filed in

case number 09-43627, willfully subscribed as true material matter which he did not believe to be true, namely, in response to the required disclosure 35 to list:

Other Personal property of any kind not already listed. Itemize.

the defendant answered "None" in violation of 18 U.S.C. §1621(2).

COUNT ELEVEN

Violation: 18 U.S.C. §152(1)
(Bankruptcy Fraud - concealment of property)

Beginning on or about November 13, 2009, and continuing thereafter until the filing of this Indictment, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, did knowingly and fraudulently conceal from a trustee and other officer of the court charged with the control and custody of property, and, in connection with a case under Title 11, namely, case number 09-43627, 09-43628, and 09-43645, did knowingly conceal from creditors and the United States Trustee, property belonging to the estate of a debtor, namely real estate, an interest in the Clovis L. Prince and Katherine Robinson Trust, and an interest in the Clovis L. Prince, Katherine M. Robinson, and Tamika D. Prince Trust, in violation of 18 U.S.C. §152(1).

COUNT TWELVE

Violation: 18 U.S.C. §152(2)
(Bankruptcy Fraud - false oath)

Beginning on or about November 13, 2009, and continuing thereafter until the filing of this Indictment, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, did knowingly and fraudulently make a false oath in Schedule A - Real Estate, Schedule B - Personal Property, Statement of Financial Affairs, and at the creditors' meeting on December 14, 2009, in and in relation to cases under Title 11, namely the defendant falsely claimed that real estate transfers were made in the "normal" or "ordinary course of business" and the defendant falsely denied that he was a beneficiary of the Clovis L. Prince, Katherine M. Robinson, and Tamika D. Prince Trust in case numbers 09-43627, 09-43628, and 09-43645, in violation of 18 U.S.C. §152(2).

COUNT THIRTEEN

Violation: 18 U.S.C. §152(3)
(Bankruptcy Fraud - false declaration)

Beginning on or about November 13, 2009, and continuing thereafter until the filing of this Indictment, in Collin County, Texas, within the Eastern District of Texas and elsewhere, the defendant, CLOVIS PRINCE, did knowingly and fraudulently make a false declaration, certificate, verification and statement under penalty of perjury as permitted under Title 28, Section 1746 in Schedules and Statements of Financial Affairs

in or in relation to cases under Title 11, namely the defendant failed to disclose property transfers and interests in real estate and trusts in case numbers 09-43627, 09-43628, and 09-43645, in violation of 18 U.S.C. §152(3).

COUNT FOURTEEN

Violation: 18 U.S.C. §152(9)
(Bankruptcy Fraud - fraudulently withholding records)

On or about November 13, 2009, and continuing thereafter until the filing of this Indictment, in Collin County, Texas, within the Eastern District of Texas and elsewhere, after the filing of a case under Title 11 and in contemplation thereof, the defendant, CLOVIS PRINCE, did knowingly and fraudulently withhold recorded information, including books, documents, records, and papers, relating to the property and financial affairs of a debtor, namely recorded information concerning the Clovis L. Prince, Katherine M. Robinson, and Tamika D. Prince Trust, from a custodian, trustee, marshal, or other officer of the court and a United States Trustee who were entitled to possession of said recorded information in violation of 18 U.S.C. §152(9).

COUNT FIFTEEN

Violation: 18 U.S.C. §157(3)
(Bankruptcy Fraud).

Beginning on or about November 13, 2009, and continuing thereafter until the filing of this Indictment, in Collin County, Texas, within the Eastern District of Texas and elsewhere, having devised and intending to devise a scheme and artifice to defraud and

for the purpose of executing and concealing such scheme and artifice and attempting to do so, the defendant, CLOVIS PRINCE, made false and fraudulent representations, claims and promises concerning and in relation to a proceeding under Title 11, namely fraudulently failed to disclose property transfers and falsely denied the existence of interests in real estate and trusts in case numbers 09-43627, 09-43628, and 09-43645, in violation of 18 U.S.C. §157(3).

A TRUE BILL,

DMC
FOREPERSON OF THE GRAND JURY

JOHN M. BALES
UNITED STATES ATTORNEY

Randall A. Blake
RANDALL A. BLAKE
Assistant United States Attorney

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FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
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v.	§	NO. 4:09CR__
	§	
CLOVIS PRINCE	§	
Defendant	§	

NOTICE OF PENALTY

COUNTS ONE - TEN

Violation: Title 18, United States Code, Section 1621, Perjury.

Penalty: Imprisonment for a term of not more than 5 years, a fine not to exceed \$250,000; supervised release for a term of not more than 3 years.

Special Assessment: \$100.00

COUNTS ELEVEN - FOURTEEN

Violation: Title 18, United States Code, Section 152, Bankruptcy Fraud.

Penalty: Imprisonment for a term of not more than 5 years, a fine not to exceed \$250,000; supervised release for a term of not more than 3 years.

Special Assessment: \$100.00

COUNT FIFTEEN

Violation: Title 18, United States Code, Section 157, Bankruptcy Fraud.

Penalty: Imprisonment for a term of not more than 5 years, a fine not to exceed \$250,000; supervised release for a term of not more than 3 years.

Special Assessment: \$100.00